

12-26-01

Director

Date: December 19, 2001 Label No. EV041600463US
I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

Sandra Stocklinski
Name (Print)

Sandra Stocklinski
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Yuji AKISHIBA

Application No.: 09/974,728

Filed: October 10, 2001

For: NON-CONTACT TYPE PROFILE MEASURING APPARATUS

Box Missing Parts

Group Art Unit: 2882

Examiner: Unassigned

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

Assistant Commissioner of Patents
Washington, D.C. 20231

December 19, 2001

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated November 9, 2001, enclosed for filing is an executed Declaration and Power of Attorney for the above-identified patent application.

Also enclosed are formal substitute drawings.

Also enclosed is our check in the amount of \$870.00, covering the surcharge of \$130.00 for late filing of the executed Declaration, and the basic filing fee of \$740.00. In the event that any additional fees are due with this paper, please charge Deposit Account No. 50-0925. This paper is filed in duplicate

Respectfully submitted,

Luke A. Kilyk
Luke A. Kilyk
Reg. No. 33,251

Docket No.: 3140-008
KILYK & BOWERSOX, P.L.L.C.
53A Lee Street
Warrenton, VA 20186
Tel: (540) 428-1701
Fax: (540) 428-1720



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/974,728	10/10/2001	Yuji Akishiba	3140-008

CONFIRMATION NO. 7823

FORMALITIES LETTER



OC000000007049860

Luke A. Kilyk
KILYK & BOWERSOX, P.L.L.C.
53A Lee Street
Warrenton, VA 20186



Date Mailed: 11/09/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 870.

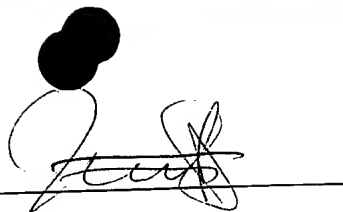
The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - the application includes photographs of the invention subject matter that appear capable of illustration and which are illegible after scanning (see 37 CFR 1.84(b));

A copy of this notice **MUST** be returned with the reply.

12/27/2001 09:00:00 09974720
740.00 DP
130.00 DP
01 FC:101
02 FC:105

A handwritten signature in black ink, appearing to be "J. Smith", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

1081217-02242660

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Yuji AKISHIBA

Application No.: 09/974,728

Filed: October 10, 2001

Group Art Unit: 2882

Examiner: Unassigned

For: NON-CONTACT TYPE PROFILE MEASURING APPARATUS

SUBMISSION OF FORMAL DRAWINGS

Assistant Commissioner for Patents
Washington, D.C. 20231

December 19, 2001

Sir:

Submitted herewith are seven (7) sheets of formal drawings (Figures 1-4, 5A-5C, 6A-6C, and 7), for the above-identified application.

In the event any fees are required in connection with this paper, please charge Deposit

Account No. 50-0925.

Respectfully submitted,


Luke A. Kilyk
Reg. No. 33,251

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